

# SOUTHEASTERN GREENE SCHOOL DISTRICT

SECTION: PUPILS

TITLE: **CONTROLLED SUBSTANCES/  
PARAPHERNALIA**

ADOPTED:

REVISED:

## 227. CONTROLLED SUBSTANCES/PARAPHERNALIA

The use of drugs and alcohol by the students of the Southeastern Greene School District is directly harmful to the School District's educational mission. The School District strongly endorses the concept of prevention through education and supports the use of classroom instruction to inform students about drugs and alcohol. The School District's goals are to educate, to intervene through early identification, to make appropriate referrals for treatment, to develop a support system for students and to ensure through appropriate disciplinary measures that the educational mission of the District is achieved.

### I. Policy

A student of the Southeastern Greene School District shall not possess, use, distribute, furnish, be under the influence of, or sell alcohol or any drug, prescription drug or controlled substance, drug paraphernalia or look-alike substance as defined below, which has not been properly registered with the School Nurse as provided herein:

- a. While on school property at any time;
- b. During school events, functions or activities conducted off school property;
- c. While on any conveyance (whether public or private) providing transportation to or from school facilities, events, function or activities; and
- d. While a School District student is travelling to or from a school facility, event, function or activity.

In the event that it is necessary for a student to take medication drugs during the school day in order to effect an improvement in or control a health problem that student, supervision by school personnel will be permitted providing proper authorization is supplied by the student's parent or guardian.

All medications/drugs (prescription and/or non-prescription) which school personnel are asked by parents or guardians to administer to students must be accompanied by a written order from a physician clearly identifying the student's name, medication/drug, dose, time of administration and duration of medication, along with any possible side effects. Prescription medication/drugs must be furnished to the

	<p>school in the pharmaceutical container, bearing the student's name and instructions for administration as written by the pharmacist. Non-prescription medication/drugs must also be in the original labeled container. A parent/guardian permission form is also required to give medication/drugs of any kind in school.</p> <p>All medication/drugs (prescription and/or non-prescription) must be delivered to and kept in the possession of the school nurse or school principal. In no event shall any and/or non-prescription), except at such time as it is being administered pursuant to the terms of this Policy. It is the parent or guardian's responsibility to pick up any remaining medication/drugs on the last day of the school year. Any medication left in school will be properly disposed of at the end of the last day of school.</p> <p>Any student ingesting medication/drugs administered under the above provisions shall not be in violation of this Policy.</p> <p><u>Definitions:</u></p> <p>a. Anabolic Steroid – any material, compound or mixture which is prepared in accordance with Schedule III, Section (vii) of the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, as amended.</p> <p>b. Controlled Substance – A drug, substance, or immediate precursor included within Schedules I through V of the Pennsylvania Controlled Substance, Drug Device and Cosmetic Act. Controlled substances shall include, but not be limited to, opiates and opium derivatives (e.g. heroin &amp; morphine), compounds or mixtures containing hallucinogenic substances (e.g. LSD, mescaline, peyote), marijuana, narcotics (e.g. cocaine), amphetamines and barbiturates. Controlled Substance shall include anabolic steroids.</p> <p>c. Drugs – Substances intended for use in the diagnosis, cure, medication, treatment or prevention of disease in man or other animal, and non-food substances intended to affect the structure or any function of the human body or other animal.</p> <p>d. Prescription Drugs – Those drugs, which pursuant to Federal law, may be dispensed only upon prescription from a physician.</p> <p>e. Look Alike Drug, Substance, Liquid or Device – A non-controlled drug, substance, liquid or device, which, in its. Overall appearance, substantially resembles in size, shape, color and markings or lack thereof, a controlled substance, drug, liquid, alcoholic beverage or drug paraphernalia, or which is packaed or enclosed in a container substantially similar to that accompanying or containing a specific controlled substance, liquid, drug or alcoholic beverage or drug paraphernalia.</p>
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	<p>f. Alcoholic Beverages – A liquid intended for consumption with a percentage alcohol content, including but not limited to, liquor, beer, wine and grain alcohol. A liquid containing alcohol for medical purposes and necessary to the treatment of an existing condition shall not be included within this definition if properly registered with the school nurse, annotated in the student’s health records and given or taken in accordance with the School district’s policy for administration of medication to students in school.</p> <p>g. Drug Paraphernalia – Any equipment, material, device or container of any kind used, or designed for use, in growing, manufacturing, processing, preparing, packaging, storing, containing, concealing, injecting, ingesting, or inhaling a controlled substance, prescription drug, drug or alcoholic beverage, and which in the judgment of the School District can be clearly associated with the use of alcohol, controlled substances, prescription drugs, and look alike drugs, substances, or liquids.</p> <p>h. Distribution – Deliver, sell, pass, share or give any alcohol, controlled substance, prescription drug or drug paraphernalia as defined by this policy from one person to another or to aid therein.</p> <p>i. Possession – Under the personal custody and control of the student, either on the person of the student, in the student’s assigned locker, or in the student’s personal belongings, including vehicles brought onto school property without any attempt to distribute, any alcohol, controlled substance, prescription drug, look alike drug or drug paraphernalia determined to be illegal as defined by this policy.</p> <p>j. Cooperative Behavior – Shall be defined as the willingness of a student to cooperate with staff and Drug and Alcohol Intervention personnel in a reasonable and helpful manner, complying with requests and recommendations of the members Student Assistance Persons.</p> <p>k. Student Assistance Persons – Teachers, school nurses, guidance counselors, administrators, and any other School District employee who has training in student chemical dependency.</p> <p>l. Uncooperative Behavior – Is resistance or refusal either verbal, physical, or passive, on the part of the student to comply with the reasonable request or recommendation of School District personnel. Defiance, assault, deceit, and flight shall constitute examples of uncooperative student behavior. Uncooperative behavior shall also include the refusal to comply with the recommendations of Student Assistance Persons designed for student support in the area of referrals.</p> <p>m. Assessment – Includes both psychological and physiological examinations. Any costs involved are the responsibility of the student’s parent (s) or legal guardian (s).</p>
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- n. Reasonable Suspicion – Suspicion by a school official that a School District policy is being violated, which suspicion is based upon specific and rational inferences which the school official can draw and reasonably conclude from the facts of a situation in light of his/her experience. The school official must have an articulate basis for reasonable suspicion.
- o. Probable Cause – The existence of certain facts, which would lead a person of reasonable intelligence and prudence to believe that a violation of state or federal law or of School District policy had occurred.
- p. School Official – teachers, school nurses, guidance counselors, administrators, support staff and security personnel.

### III. Administrative Guidelines

As an integral part of the Southeastern Greene School District's Drug and Alcohol Prevention program, these guidelines represent a district-wide effort to respond effectively to alcohol, controlled substance, drug, prescription drug, look-alike drug, or drug paraphernalia related situations that may occur at school or at school sponsored activities. These guidelines are intended to provide a consistent minimum disciplinary standard response to alcohol and other drug related incidents. The Southeastern Greene School District will provide a safe and healthy environment for students with due consideration for their legal rights and responsibilities.

The Board reserves the right to use any measures deemed necessary, including but not limited to, disciplinary action in accordance with the Southeastern Greene School District's Disciplinary Code (which Disciplinary Code provides for sanctions including expulsion for school ), to control substance abuse, even if those measures are not provided for in any rule or regulation enumerated herein.

### IV. Procedures/Situational Categories

The procedure to be followed depends upon which of the ten (10) situations listed below are present. Once School district personnel have reasonable suspicion to believe that this policy has been violated, the guidelines below are intended to be followed based upon such reasonable suspicion, or the Student Assistance Person's or School Official's assessment of the subject student's behavior and the risk presented by such behavior to the subject student and others.

#### Situation #1 –

A student is suspected of possible alcohol, controlled substance, drug, prescription drug or look-alike drug use, which suspicion may be based upon inappropriate behavior by the student, the student's poor classroom performance, tardiness, etc.,

	<p>and there is no physical evidence.</p> <p><u>Immediate Action:</u> The student is informed of available help and is referred to a Student Assistance Person for assistance.</p> <p><u>Investigation:</u> The school officials discovering this situation shall contact the building counselor, nurse, or building administrator for assistant. The school nurse shall test the vial signs of the student which includes blood pressure, pulse, and the dilation reaction of the student's eyes. Chemical tests may be administered at the discretion of the Student Assistance Person (at the student's expense) based upon reasonable suspicion of a violation of this policy.</p> <p><u>Notification of Parents:</u> Limited to behavioral problems.</p> <p><u>Notification of Police:</u> Not applicable.</p> <p><u>Discipline/Rehabilitation:</u> None if after the investigation there still is no physical evidence of any violation of this policy, however, that shall be a referral to a Student Assistance Person. Further discipline as provided by the appropriate situational category will be administered if further investigation determines that evidence exists that the student is in violation of this policy.</p> <p><u>Situation #2 –</u></p> <p>A student contacts a staff member in regard to the alcohol, controlled substance, drug, prescription drug or look alike drug use by another student.</p> <p><u>Immediate Action:</u> The student who contacts a staff member is encourage to have the student with a problem personally seek assistance. The appropriate School Official shall also refer the student to the appropriate Student Assistance Person for assistance.</p> <p><u>Investigation:</u> A staff member shall refer the situation to a Student Assistance Person and/or Building Administrator, and a proper investigation shall be conducted within the guidelines stated in this policy. In the event that it is confirmed that the student is in fact using, possessing or is distributing a controlled substance, prescription drug, or drug paraphernalia, further discipline shall be initiated as provided for by the appropriate situational category.</p> <p><u>Notification of Parents:</u> Immediate notification of parents.</p> <p><u>Notification of Police:</u> Not applicable</p> <p><u>Discipline Rehabilitation:</u> None if it is not confirmed that the student is in fact using, possessing or is distributing a controlled substance, prescription drug, drug or</p>
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	<p>drug paraphernalia. Rehabilitation shall consist in this instance of the referral of the student to the appropriate Student Assistance Person for assistance. Further discipline as provided by the appropriate situational category will be administered if further investigation determines that evidence exists that the student is in violation of this policy. Additionally, if further investigation determines that evidence exists that the student is in violation of this policy, there shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. The student must comply with all recommendations of the facility.</p> <p><u>Situation #3 –</u></p> <p>A student volunteers information about personal alcohol, controlled substance, drug, prescription drug or look alike drug use and asks for help.</p> <p><u>Immediate Action:</u> The student is informed of services available and encouraged to seek assistance.</p> <p><u>Investigation:</u> A staff member should request intervention of a Student Assistance Person and contact the building counselor, nurse, and/pr administrator.</p> <p><u>Notification of Parents:</u> If student's health, welfare and safety are judged to be a t stake.</p> <p><u>Notification of Police:</u> Not applicable.</p> <p><u>Discipline/Rehabilitation:</u> None/Referral to a Student Assistance Person.</p> <p><u>Situation #4 –</u></p> <p>The student has a alcohol, controlled substance, drug, prescription drug or lookalike drug related medical emergency on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, or off school grounds while attending any school activity, function or event.</p> <p><u>Immediate Action:</u> The nurse will be summoned immediately. The student will be transported to nearest medical facility by ambulance. The appropriate Administrator will be notified.</p> <p><u>Investigation:</u> The appropriate School Official shall investigate the incident. This investigation will include the search of the student's locker and his/her vehicle if on school grounds in accordance with District Policy and Procedures. Any item, residue, or substance believed to be consumed by the student will be confiscated immediately and delivered to the medical facility to which the student has been taken, to assist in treatment of student.</p>
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	<p><u>Notification of Parents:</u> Immediate notification of parent.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p><u>Discipline/Rehabilitation:</u> If the appropriate investigation reveals that the student was in violation of any provision of this policy, further discipline shall be initiated as provided for by the appropriate situational category. Additionally, there shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. Any and all costs associated with this assessment shall be the sole responsibility of the student's parents or guardians. The student must comply with all recommendations of the facility.</p> <p><u>Situation #5 -</u></p> <p>The student possesses drug-related paraphernalia on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, or off school grounds while attending any school activity, function or event. There is no evidence of use.</p> <p><u>Immediate Action:</u> Paraphernalia is confiscated by a School Official. The School Official directly involved shall write an anecdotal report of the incident.</p> <p><u>Investigation:</u> The appropriate School Official will search that student's locker and vehicle if on school property in accordance with School District's Policies and Procedures. The appropriate School Official may search the student in accordance with District Policies and Procedures.</p> <p><u>Notification of Parents:</u> Immediate notification of parent.</p> <p><u>Notification of Police:</u> At the discretion of the School Official involved in the incident.</p> <p><u>Discipline/Rehabilitation:</u> An Informal Hearing shall be held as soon as possible, with a mandatory 10 day out-of-school suspension if the student is found to be in the possession of drug-related paraphernalia, but there is no evidence of use. Any Student Assistance Person or Building Administrator may refer the student for a formal hearing for expulsion from school.</p> <p><u>Situation #6 –</u></p> <p>A student possesses, uses, or is under the influence of alcohol, a controlled substance, a drug, a prescription drug or a look alike drug on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, or off school grounds while attending any school activity, function or event.</p>
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	<p><b>FIRST OFFENSE, COOPERATIVE BEHAVIOR.</b></p> <p><u>Immediate Action:</u> The appropriate Administrator is summoned. The School Official directly involved shall write an anecdotal report of the incident. The District Superintendent or Assistance Superintendent is contacted.</p> <p><u>Investigation:</u> The appropriate School Official will search the student's locker and vehicle if on school property in accordance with District Policies and Procedures. The appropriate School Official may search the student in accordance with District Policies and Procedures. There shall be a confiscation of prohibited substance (s) and also a collection of pertinent data. Chemical tests may be administered at the discretion of the Student Assistance Person (at the student's expense) based upon reasonable suspicion of a violation of this policy.</p> <p><u>Notification of Parents:</u> Immediate notification of parent. Parental conference arranged as soon as possible.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p><u>Discipline/Rehabilitation:</u> An Informal Hearing shall be held as soon as possible, with a mandatory 10 day out-of-school suspension if the student is found to be under the influence of; in the possession of; or is using alcohol, a controlled substance, drug, a prescription drug or a look alike drug. There shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. Any and all costs associated with this assessment shall be the sole responsibility of the student's parents or guardians. The student must comply with all recommendations of the facility. Any Student Assistance Person or Building Administrator <u>may</u> refer the student for formal hearing for expulsion from school.</p> <p><u>Situation #7 –</u></p> <p>A student possesses, uses, or is under the influence of alcohol, a controlled substance, a drug, a prescription drug or a look alike drug on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, or off school grounds while attending any school activity, function or event.</p> <p><b>FIRST OFFENSE, UN-COOPERATIVE BEHAVIOR.</b></p> <p><u>Immediate Action:</u> The appropriate Administrator is summoned. The School Official directly involved shall write an anecdotal report of the incident. The District Superintendent or Assistance Superintendent is contacted.</p> <p><u>Investigation:</u> The appropriate School Official will search the student's locker and vehicle if on school property in accordance with District Policies and Procedures. The appropriate School Official may search student in accordance with District Policies and Procedures. There shall be a confiscation of prohibited substance(s) and</p>
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	<p>also a collection of pertinent data. Chemical tests may be administered at the discretion of the Student Assistance Person (at the student's expense) based upon reasonable suspicion of a violation of this policy.</p> <p><u>Notification of Parents:</u> Immediate notification of parent.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p><u>Discipline/Rehabilitation:</u> An Informal Hearing shall be held as soon as possible, with a mandatory 10 day out-of-school suspension if the student is found to be under the influence of; in the possession of; or is using alcohol, a controlled substance, a drug, a prescription drug or a look alike drug. There shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. Any and all costs associated with this assessment shall be the sole responsibility of the student's parents or guardians. The student must comply with all recommendations of the facility. Any Student Assistance Person or Building Administrator <u>shall</u> refer the student for formal hearing for expulsion from school.</p> <p><u>Situation #8 –</u></p> <p>A student possesses uses or is under the influence of alcohol, controlled substance, drug, prescription drug or look alike drug at a school related activity on or off school property.</p> <p><u>Immediate Action:</u> The Chaperone or a School Official accompanying the student will contact the group advisor and appropriate School Official. The School Official directly involved shall write an anecdotal report of the incident. The District Superintendent or Assistance superintendent is contacted.</p> <p><u>Investigation:</u> the appropriate School Official will search the student's locker and vehicle if on school property in accordance with District Policies and Procedures. The appropriate School Official may search student in accordance with District Policies and Procedures. These shall be a confiscation of prohibited substance(s) and also a collection of pertinent data. Chemical tests may be administered at the discretion of the Student Assistance Person (at the student's expense) based upon reasonable suspicion of a violation of this policy.</p> <p><u>Notification of Parents:</u> Yes, as soon as possible.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p><u>Discipline/Rehabilitation:</u> The student shall be sent home immediately at parental expense, escorted by the legal authorities, or detained until a parent/guardian can accompany the student. Further discipline as provided by the appropriate situational category will be administered following the Administration's investigation.</p>
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	<p><u>Situation #9 –</u></p> <p>A student is caught AGAIN, within a four (4) year period, possessing, using or under the influence of alcohol, a controlled substance, a drug, a prescription drug or a look alike drug while on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, function</p> <p><u>Immediate Action:</u> The appropriate Administrator is summoned. The School Official directly involved shall write an anecdotal report of the incident. The District Superintendent or Assistance Superintendent is contacted.</p> <p><u>Investigation:</u> The appropriate School Official will search the student’s locker and vehicle if on school property in accordance with District Policies and Procedures. The appropriate School Official may search the student in accordance with District Policies and Procedures. There shall be a confiscation of prohibited substance (s) and also a collection of pertinent data. Chemical tests may be administered at the discretion of the Student Assistance Person (at the student’s expense) based upon reasonable suspicion of a violation of this policy.</p> <p><u>Notification of Parents:</u> Immediate notification of parent.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p><u>Discipline/Rehabilitation:</u> An Informal Hearing shall be held as soon as possible, with a mandatory 10 day out-of-school suspension if the student is found to be under the influence of; in the possession of; or is using alcohol, a controlled substance, a drug, a prescription drug or a look alike drug. There shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. Any and all cost associated with this assessment shall be the sole responsibility of student’s parents and guardians. The student must comply with all recommendations of the facility. There shall be a referral by the appropriate School Official for a formal hearing for expulsion from school with a recommendation of expulsion for a minimum of ninety (90) school days.</p> <p><u>Situation #10 –</u></p> <p>A student is distributing alcohol, a controlled substance, a drug, a prescription drug, a look alike drug or drug paraphernalia on school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity, or off school grounds while attending any school activity, function or event school grounds, in transit to and/or from a school activity, function or event, or a school sponsored activity.</p>
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	<p><u>Immediate Action:</u> The appropriate Administrator is summoned. The School Official directly involved shall write an anecdotal report of the incident. The District superintendent or Assistant Superintendent is contacted.</p> <p>Investigation: The appropriate School Official will search the student's locker and vehicle if on school property in accordance with District Policies and Procedures. The appropriate School Official may search student in accordance with District Policies and Procedures. There shall be a confiscation of prohibited substance (s) and also a collection of pertinent data.</p> <p><u>Notification of Parents:</u> Yes, parent is requested to come to the principal's office immediately.</p> <p><u>Notification of Police:</u> Yes, as soon as possible.</p> <p>Discipline/Rehabilitation: An Informal Hearing shall be held as soon as possible, with a mandatory 10 day out-of-school suspension if the student is found to be distributing alcohol, a controlled substance, a drug, a prescription drug, a look alike drug or drug paraphernalia on school grounds, or in transit to and/or from a school activity, function or event, or school sponsored activity. There shall be a mandatory referral (through a Student Assistance Person) for assessment by a licensed drug and alcohol facility. The student must comply with all recommendations of the facility. There shall be a referral by the appropriate School Official for a formal hearing for expulsion from school with a recommendation of expulsion for a minimum of one (1) school year.</p> <p><u>V. Follow-Up Action –</u></p> <p>The parent (s) and student shall be required to sign forms to release and obtain confidential information from the assessment/treatment facility. The student's counselor shall verify that all recommendations from the assessment/treatment facility are being complied with. Prior to returning to the regular school program, the student must provide clinically acceptable evidence of being drug/alcohol free and shall agree to continue to provide such evidence regularly to the school administration while enrolled in the Southeastern Greene School District.</p> <p><u>VI. Student Searches and Seizures –</u></p> <p>Students are entitled to the protection of the Fourth Amendment and are subject to reasonable searches and seizures as provided for under Pennsylvania Law. School Officials are empowered to conduct searches of students and their property when there is a reasonable suspicion that the student may be in violation of school policy or the law. If a school official has a reasonable suspicion that a student is in possession of a controlled substance, drugs, drug paraphernalia, alcoholic beverages, or a look alike drug in violation of this policy, a search may be instituted, in</p>
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	<p>accordance with the following procedure.</p> <p>a. No search will be conducted without the knowledge and consent of the Superintendent or his designee.</p> <p>b. No strip search will be conducted. If it is believed by the Superintendent or the Assistant Superintendent that a more invasive search is required than is permitted under this Policy, the local police/law enforcement agency shall be notified, and the matter shall be turned over to said authorities.</p> <p>c. The student will be asked to consent to the search. If the search is of the student's property, reasonable efforts will be made to have the student present during the search.</p> <p>d. If, after being informed of the basis for the school official's reason to search the student's person or property, the student does not consent to the search, reasonable efforts will be made to contact the student's parents or guardian and inform them of the circumstances.</p> <p>e. If the parent or guardian of the student cannot be reached, or do not consent to the search, the school official may proceed with the search.</p> <p>f. If circumstances permit, the search of the student and his property should be conducted in privacy and by a school official of the same gender as the student.</p> <p>g. The extent of the search by the school official is limited to confirming his/her initial reasonable suspicions of violation of this policy. Of course, if the limited search turns up more evidence of violations further searches can be conducted based upon this new evidence.</p> <p>h. any materials possessed in violation of this policy which are uncovered during the search of a student's person or property will be immediately confiscated and turned over to the exclusive custody and control of the building principal, who will personally deliver the material to the proper authorities (Superintendent, Assistant Superintendent or Local Police.</p>
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	<p><b>References:</b></p> <p><b>Controlled Substances Act – 21 U.S.C. Sec. 801 et seq</b></p> <p><b>PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. 780-101 et seq</b></p> <p><b>PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. 8337</b></p> <p><b>Steroids – 35 P.S. Sec. 807.2</b></p> <p><b>School Code – 24 P.S. Sec. 510, 511, 1303-A</b></p> <p><b>State Board of Education Regulations – 22 PA Code Sec. 12.3; 22 PA Code Sec. 403.1</b></p> <p><b>No Child Left Behind Act of 2001 – 20 U.S.C. Sec. 7114, 7161</b></p> <p><b>Board Policy – 122, 123, 210, 218, 233</b></p>
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